

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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EMILY KAPELLUSCH,

Plaintiff,

v.

Case No: 18-cv-843

BOLD SALONS LLC, *et. al.*

Defendants

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**DECLARATION OF ROBERT M. MIHELICH**

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I, Robert M. Mihelich, certify under penalty of perjury that the following is true and correct to the best of my knowledge and recollection:

1. The statements set forth in this declaration are made of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters stated below.

2. I was admitted to the Bar of the State of Wisconsin in 1993. I am also admitted to practice before the United States District Courts for the Eastern and Western Districts of Wisconsin and the Northern District of Illinois. Most of my professional time and efforts have involved representing employees in employment matters, including wage and hour cases.

3. From approximately the years 1993 to 1996, I owned my own practice, the Law Offices of Robert M. Mihelich. From approximately the years 1996 to 1999, I was an attorney at Alan C. Olson & Associates, S.C., and from approximately the years 2000 to the present date, I have again owned my own practice, the Law Offices of Robert M. Mihelich.

4. Throughout my years of practice, I have represented numerous individuals in efforts to recover unpaid wages under both state and federal law. My practice has been devoted to employment law, including wage and hour litigation in federal and state court. I am a member of the Wisconsin Employment Lawyers Association, the National Employment Lawyers Association, and the Wisconsin State Bar.

5. I am aware that the Attorneys at Walcheske & Luzi, LLC have represented Plaintiffs in individual and class/collective action wage and hour matters in front of the United States District Court for the Eastern and Western Districts of Wisconsin and in the State of Wisconsin. I am aware that Attorney Scott S. Luzi is experienced with complex federal wage and hour litigation, and that he has served as counsel on behalf of individuals in single-Plaintiff and multi-Plaintiff wage and hour actions.

6. I currently bill for my services at the rate of \$350.00 per hour.

7. As an attorney who has practiced employment law and who owns his own firm, and as counsel on a multitude of wage and hour cases, I am familiar with the market rate in Wisconsin for representation of plaintiffs under the Fair Labor Standards Act and Wisconsin state law. I am also familiar with a plaintiff's ability to recover reasonable attorneys' fees and costs incurred in such litigation. With respect to individual and class/collective action wage and hour cases, I believe that my hourly rate is reasonable and representative of market rate for such services on these cases, and I do charge this hourly rate on such cases.

8. I understand that the attorneys at Walcheske & Luzi, LLC are filing a petition for Attorneys' Fees and Costs in this matter, which is an individual wage and hour case brought under the Fair Labor Standards Act and Wisconsin state law. I understand that Scott S. Luzi's current hourly rate is also \$350.00 for services rendered in individual and class/collective action wage and hour cases.

9. Based on my experience and knowledge of the market, as well as my personal opinion of the work of Attorney Scott S. Luzi, my opinion is that his hourly rate is reasonable for an individual wage and hour case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 31s day of December, 2018.

s/ **Robert M. Mihelich**  
Robert M. Mihelich